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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)

v.)

Violation: Title 18, United States Code,
Sections 1344 and 2.

EMANUEL LINDSEY a.k.a. "Main,")

a.k.a. "Mike," a.k.a. "Fam,")

a.k.a. "Money,")

DERRICK SLEDGE,)

EDWARD LINDSEY a.k.a. "Big E,")

KING SOLOMON JOHNSON,)

NYCO PLAIR,)

SENECA REECE,)

SAMMY COLON,)

TEQUILA SIMS,)

TIMOTHY POLEN, Jr.,)

ELIANA ROLDAN,)

DEWAYNE RHONE,)

GREGORY THARPS, and)

NAISHA JONES)

JUDGE THARP

MAGISTRATE JUDGE COLE

12CR 921

FILED

11-28-12
NOV 28 2012

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

COUNT ONE

The SPECIAL SEPTEMBER 2011 GRAND JURY charges:

1. At times material to this indictment: J.P. Morgan Chase Bank ("Chase Bank"), TCF Bank, U.S. Bank, Charter One Bank, PNC Bank, Harris Bank, Guaranty Bank, and Fifth Third Bank were financial institutions with branches in Chicago, Illinois, and elsewhere, whose deposits were insured by the Federal Deposit Insurance Corporation.
2. Beginning no later than in or about June 2009, and continuing at least until in or about November 2011, in the Northern District of Illinois, Eastern Division, and

elsewhere,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money,"
DERRICK SLEDGE,
EDWARD LINDSEY a.k.a. "Big E,"
KING SOLOMON JOHNSON,
NYCO PLAIR,
SENECA REECE,
SAMMY COLON,
TEQUILA SIMS,
TIMOTHY POLEN, Jr.,
ELIANA ROLDAN,
DEWAYNE RHONE,
GREGORY THARPS, and
NAISHA JONES,

defendants herein, together with individuals known and unknown to the Grand Jury (hereinafter collectively referred to as the "co-schemers"), knowingly devised and participated in a scheme to defraud financial institutions and to obtain money owned by and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, which scheme is further described as follows:

3. It was part of the scheme that between in or about June 2009 and in or about November 2011, EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY obtained checks made payable to corporations, which had been stolen (the "stolen corporate checks").

4. It was further part of the scheme that defendants and their co-schemers fraudulently negotiated and caused to be negotiated the stolen corporate checks at financial

institutions. Defendants knew at the time that the corporate checks had been stolen and that they were not entitled to any of the proceeds from the stolen corporate checks.

5. It was further part of the scheme that EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY collected and caused to be collected the identifying information, such as names, addresses, and dates of birth, of various co-schemers, including KING SOLOMON JOHNSON, NYCO PLAIR, SENECA REECE, SAMMY COLON, TEQUILA SIMS, TIMOTHY POLEN, Jr., ELIANA ROLDAN, DEWAYNE RHONE, GREGORY THARPS, and NAISHA JONES.

6. It was further part of the scheme that EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY used this identifying information to file and caused to be filed with the Illinois Secretary of State forms incorporating various businesses and listing as the presidents of these businesses various co-schemers, including KING SOLOMON JOHNSON, NYCO PLAIR, SENECA REECE, SAMMY COLON, TEQUILA SIMS, TIMOTHY POLEN, Jr., ELIANA ROLDAN, DEWAYNE RHONE, GREGORY THARPS, and NAISHA JONES. These businesses were "sham" businesses in that they did not engage in any business activities (collectively, the "sham businesses"). The sham businesses had names spelled similarly to the names of the payee corporations on the stolen corporate checks or to various co-schemers' names.

7. It was further part of the scheme that EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY, assisted by SENECA REECE, recruited and caused

to be recruited KING SOLOMON JOHNSON, NYCO PLAIR, SENECA REECE, SAMMY COLON, TEQUILA SIMS, TIMOTHY POLEN, Jr., ELIANA ROLDAN, DEWAYNE RHONE, GREGORY THARPS, NAISHA JONES, and various other co-schemers to open bank accounts in the names of the sham businesses and then to withdraw funds from these accounts after the stolen corporate checks had been deposited into the accounts, in exchange for a percentage of the proceeds of the stolen corporate checks. The co-schemers well knew that they were not entitled to any of the proceeds of the stolen corporate checks.

8. It was further part of the scheme that various co-schemers altered the names of the listed payees on some of the stolen corporate checks to falsely make it appear that the checks were made payable to TIMOTHY POLEN, Jr., GREGORY THARPS, or corporations incorporated in POLEN's and THARPS's names.

9. It was further part of the scheme that, at the direction of EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY, various co-schemers including KING SOLOMON JOHNSON, NYCO PLAIR, SENECA REECE, SAMMY COLON, TEQUILA SIMS, TIMOTHY POLEN, Jr., ELIANA ROLDAN, DEWAYNE RHONE, GREGORY THARPS, and NAISHA JONES opened and caused to be opened corporate bank accounts in the names of the sham businesses at TCF Bank, U.S. Bank, Charter One Bank, PNC Bank, Harris Bank, Guaranty Bank, Fifth Third Bank, and other financial institutions (collectively, the "co-schemers' bank accounts").

10. It was further part of the scheme that EMANUEL LINDSEY, DERRICK SLEDGE, EDWARD LINDSEY, SENECA REECE, SAMMY COLON, ELIANA ROLDAN, and various other co-schemers deposited and caused to be deposited stolen corporate checks totaling in excess of \$2.5 million into the co-schemers' bank accounts in order to falsely inflate the balances of these accounts so that the financial institutions would pay the debits drawn on these accounts.

11. It was further part of the scheme that, after waiting for the stolen corporate checks to be credited to the co-schemers' bank accounts, EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY directed KING SOLOMON JOHNSON, NYCO PLAIR, SENECA REECE, SAMMY COLON, TEQUILA SIMS, ELIANA ROLDAN, DEWAYNE RHONE, NAISHA JONES and various other co-schemers to withdraw and cause to be withdrawn approximately \$1.6 million from the co-schemers' bank accounts by using debit cards to make cash withdrawals at ATMS and casinos and by writing checks made payable to various co-schemers.

12. It was further part of the scheme that EMANUEL LINDSEY, DERRICK SLEDGE, KING SOLOMON JOHNSON, NYCO PLAIR, SAMMY COLON and various other co-schemers traveled from Chicago, Illinois to Las Vegas, Nevada on multiple occasions in order to make large cash withdrawals from the co-schemers' bank accounts at various casinos.

13. It was further part of the scheme that the co-schemers who withdrew the money from the co-schemers' bank accounts gave the money to EMANUEL LINDSEY, DERRICK SLEDGE, and EDWARD LINDSEY, who then split the proceeds with various other co-schemers.

14. It was further part of the scheme that the co-schemers converted the proceeds of the stolen corporate checks to their own use and benefit.

15. It was further part of the scheme that defendants misrepresented, concealed, and hid and caused to be misrepresented, concealed, and hidden, the purposes of and the acts done in furtherance of the scheme.

16. On or about June 10, 2009, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money,"
DERRICK SLEDGE, and
DEWAYNE RHONE,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Chase Bank a corporate check, numbered 15759, made payable to Victim Corporation A in the amount of approximately \$134,334.56;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TWO

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about July 21, 2010, at River Forest, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD LINDSEY, a.k.a. "Big E," and
SAMMY COLON,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at TCF Bank a corporate check, numbered 649378, made payable to Victim Corporation B in the amount of approximately \$29,356.89;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THREE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about July 21, 2010, at River Forest, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD LINDSEY, a.k.a. "Big E,"

defendant herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at TCF Bank a corporate check, numbered 181249, made payable to Victim Corporation C in the amount of approximately \$27,501.40;

In violation of Title 18, United States Code, Section 1344.

COUNT FOUR

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about July 30, 2010, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money,"
DERRICK SLEDGE,
EDWARD LINDSEY, a.k.a. "Big E," and
SAMMY COLON,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Chase Bank a corporate check, numbered 0187488, made payable to Victim Corporation D in the amount of approximately \$123,981.58;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT FIVE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about August 5, 2010, at River Forest, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD LINDSEY, a.k.a. "Big E,"
SAMMY COLON, and
ELIANA ROLDAN,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at TCF Bank a corporate check, numbered 01706, made payable to Victim Corporation E in the amount of approximately \$21,746.12;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SIX

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about September 10, 2010, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD LINDSEY, a.k.a. "Big E,"
ELIANA ROLDAN, and
NAISHA JONES,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Fifth Third Bank a corporate check, numbered 231523, made payable to Victim Corporation F in the amount of approximately \$112,892.60;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SEVEN

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about October 4, 2010, at Oak Park, in the Northern District of Illinois, Eastern Division, and elsewhere,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money,"
DERRICK SLEDGE,
KING SOLOMON JOHNSON, and
NYCO PLAIR,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Charter One Bank a corporate check, numbered B0-7504, made payable to Victim Corporation G in the amount of approximately \$762,911.77;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT EIGHT

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about December 21, 2010, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money,"
DERRICK SLEDGE, and
SENECA REECE,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Fifth Third Bank a corporate check, numbered T-5938806, made payable to Victim Corporation H in the amount of approximately \$60,116.25;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT NINE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about December 28, 2010, at Oakbrook Terrace, in the Northern District of Illinois, Eastern Division, and elsewhere,

DERRICK SLEDGE, and
NYCO PLAIR,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Harris Bank a corporate check, numbered 1001407719, made payable to Victim Corporation I in the amount of approximately \$64,064.74;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TEN

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about February 24, 2011, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

SENECA REECE, and
TEQUILA SIMS,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at TCF Bank a corporate check numbered, 1501311681, made payable to Victim Corporation J in the amount of approximately \$178,630.94;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT ELEVEN

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about August 15, 2011, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

GREGORY THARPS,

defendant herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Fifth Third Bank a corporate check, numbered, 030295 made payable to Victim Corporation K in the amount of approximately \$18,194.58;

In violation of Title 18, United States Code, Section 1344.

COUNT TWELVE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 15 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.
2. On or about October 12, 2011, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money" and
TIMOTHY POLEN, Jr.,

defendants herein, knowingly executed and attempted to execute the above-described scheme by depositing and causing to be deposited into a co-schemer bank account at Fifth Third Bank a corporate check, numbered 0002481613, made payable to Victim Corporation L in the amount of approximately \$68,817.10;

In violation of Title 18, United States Code, Sections 1344 and 2.

FORFEITURE ALLEGATION

The SPECIAL SEPTEMBER 2011 GRAND JURY further alleges:

1. The allegations contained in Counts One through Twelve of this indictment are incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. As a result of their violations of Title 18, United States Code, Section 1344, as alleged in the foregoing indictment,

EMANUEL LINDSEY a.k.a. "Main,"
a.k.a. "Mike," a.k.a. "Fam," a.k.a. "Money,"
DERRICK SLEDGE,
EDWARD LINDSEY a.k.a. "Big E,"
KING SOLOMON JOHNSON,
NYCO PLAIR,
SENECA REECE,
SAMMY COLON,
TEQUILA SIMS,
TIMOTHY POLEN, Jr.,
ELIANA ROLDAN,
DEWAYNE RHONE,
GREGORY THARPS, and
NAISHA JONES,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), any and all right, title, and interest in any property, real and personal, which constitutes and is derived from proceeds traceable to the charged offenses.

3. The interests of the defendants subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(A), include, but are not limited to, approximately \$1,585,380 in United States currency and the following property:

- a. 2002 White Mercedes Benz G-Class SUV with Vehicle Identification Number WDCYR49E92X133990.

4. If any of the property subject to forfeiture and described above, as a result of any act or omission of the defendants:

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the Court;
- (d) Has been substantially diminished in value; or
- (e) Has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b).

All pursuant to Title 18, United States Code, Section 982(a)(2)(A).

A TRUE BILL:

FOREPERSON

ACTING UNITED STATES ATTORNEY